California Department of Corrections and Rehabilitation





For informational Purposes

(916) 445-4950

October 12, 2012

Background Class Action Lawsuits

Armstrong

Filed in 1994 in the U.S. District Court, Northern District of California, this is a class action brought under the Americans with Disabilities Act and the Rehabilitation Act on behalf of inmates and parolees with disabilities. A plan is in place to assist the department with compliance and has been since 1999. Plaintiff's counsel conducts ongoing monitoring of the prisons, and the Court has issued further orders since that time related to the manner in which the California Department of Corrections and Rehabilitation (CDCR) tracks and provides reasonable accommodations for inmates and parolees who are disabled.

Clark

Filed in 1996 in the U.S. District Court, Northern District of California, this is a class action brought under the Americans with Disabilities Act and the Rehabilitation Act. This case consists of "all present and future individuals with developmental disabilities" who are under the control of CDCR. The term "developmental disability" is defined as a disability that originates before an individual attains the age of 18, continues-or can be expected to continue-indefinitely, and constitutes a substantial handicap for that individual, such as autism spectrum disorders or intellectual developmental disorder (formerly known as mental retardation). The plaintiffs alleged that the department denied inmates/parolees with developmentally disabilities access to programs, services and activities and that the department failed to protect inmates/parolees with developmental disabilities, asserting that this subset of the population is particularly vulnerable to exploitation and abuse by other inmates. A stipulation for settlement was filed in 1998. A remedial plan was put into place in 2001. The department implemented the Developmental Disability Program to serve and accommodate inmates/parolees with developmental disabilities. In September 2010, after Defendants moved to terminate the case, the court ordered CDCR to continue to comply with the remedial plan and issued further orders relating to training, selfmonitoring and validation of the class.

Coleman

Filed in 1991 in the U.S. District Court, Eastern District, this is a class action brought under the Eighth Amendment of the U.S. Constitution. In 1995, the court found that the department was deliberately indifferent to the mental health needs of inmates in violation of the Eighth Amendment. A special master was appointed in November 1995, and a plan to address the constitutional inadequacies was approved by the court in 1997. The court issued further orders in this case, often at the recommendation of the Special Master. Plaintiffs' counsel sought and received direction to a three-judge panel to review whether overcrowding was the primary cause of the failure to deliver adequate mental health care to the inmate class. The Three-Judge Panel case subsequently went to the U.S. Supreme Court where the court validated the Three-Judge Panel's direction to reduce crowding to 137.5 percent of design capacity.

Perez (Note: Case dismissed August 20, 2012)

This class action suit filed in 2005 in the U.S. District Court, Northern District, alleged that California prison dental care violated the Eighth Amendment's prohibition against cruel and unusual punishment. An agreement to settle the case was reached in 2006 and the court approved a settlement. Dental care at CDCR institutions was evaluated by court-appointed experts and all 33 adult institutions were found in compliance by July 2012. The State had met the other requirements of the settlement and the parties entered into a stipulation to dismiss the case with prejudice. The stipulation and dismissal were approved by the court on August 20, 2012.

Plata

In 2001, a class action lawsuit was filed in the U.S. District Court, Northern District, alleging that medical care in state prisons violated the Eighth Amendment's ban of cruel and unusual punishment. In 2002, the State settled the suit and agreed to implement reforms to the system; however, in 2005, the court found that defendants were behind schedule in improving medical care and that the State was unable to remedy the problems on its own. In 2006, the court appointed a federal receiver to bring medical care into compliance with the U.S. Constitution. In September 2012, the court approved a plan to end the federal receivership that will return management and day-to-day control over medical services to the State. Plaintiffs' counsel sought and received direction to a three-judge panel to review whether overcrowding was the primary cause of the failure to deliver adequate medical care to the inmate class. The Three-Judge Panel case subsequently went to the U.S. Supreme Court and in May 2011, the court affirmed the Three-Judge Panel's direction to reduce crowding to 137.5 percent of design capacity.

Valdivia

Filed in 1994, this case is a federal civil rights action brought by a class of parolees against CDCR and the State alleging that virtually every aspect of the parole revocation process is constitutionally deficient. In 2003, the court found that the State's parole revocation process violates parolees' rights to due process. Since 2004, CDCR's Division of Adult Parole Operations and the Board of Parole Hearings have been under a remedial plan.

###